



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,900	11/20/2000	Dieter Draxelmayr	INF-P10182	8143

7590 10/29/2002

Lerner and Greenberg PA
P O Box 2480
Hollywood, FL 33022-2480

EXAMINER

STRECKER, GERARD R

ART UNIT

PAPER NUMBER

2862

DATE MAILED: 10/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/716,900

Applicant(s)

DRAXELMAYR

Examiner

G.R. STRECKER

Group Art Unit

2862

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 8/19/02
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-15 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-15 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☒ The proposed drawing correction, filed on 8/19/02 is ☒ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

Art Unit: 2862

The disclosure is objected to because of the following informalities: At page 16, line 4, it is not clear what the "magnet signal" refers to. Applicant submits that "magnet signal" refers to a signal containing minimum and maximum magnet values as disclosed at page 16, line 7, however, it is still not clear what makes the signal a "magnet" signal. In the "Background of the Invention", in describing the prior art, rotational speed sensors in conjunction with a gearwheel are discussed. No magnet signal or magnetic signal is referred to. Thus, the specification should contain some reference to the origin of the "magnet" signal.

Appropriate correction is required.

Claims 1-15 are again rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 1 recites the steps of externally modulating a supply voltage on a voltage supply line connected to the sensor, analyzing the modulated supply voltage received in the sensor with regard to fulfillment of a predetermined criterion stored in the sensor and interpreting the received modulated signal as an external communication signal if the criterion is fulfilled. It is not clear from the description at pages 9-17, what the intelligent circuit comprises and how it operates such that the analysis with regard to the fulfillment of the predetermined criterion and the interpretation based thereon can be carried out. This rejection can be overcome by the submission of Applicant's proposed new Fig. 5 with an accompanying description thereof added to the application.

Art Unit: 2862

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1; at lines 3 and 4, it is not clear in the claim what the output signal and successive signal pulses represent or are related to. The claim should be amended to relate the output signal in some way to what the sensor senses or in response to what the sensor outputs the output signal. At lines 11 and 12 it is not clear what is the significance of interpreting the modulated supply voltage as an external communication signal and what is done with the communication signal as a result of such interpretation. There should be some indication in the claim to the effect that the sensor is prompted to switch into a certain mode when the criterion is fulfilled.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

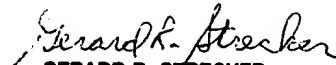
Art Unit: 2862

will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to G. R. Strecker at telephone number (703) 305-4937.

G R STRECKER/pj

10/25/02


GERARD R. STRECKER
PRIMARY EXAMINER